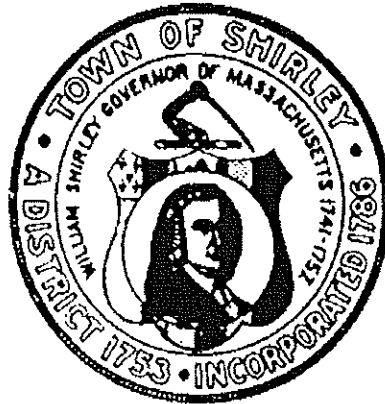


# Town of Shirley

## Massachusetts



# WARRANT

*for the*

# 2019 SPECIAL TOWN MEETING

Ayer-Shirley Regional Middle School  
Auditorium, 1 Hospital Road  
Beginning Monday, November 25, 2019 at 7:15PM

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**Town of Shirley Warrant, Special Town Meeting,  
Monday, November 25, 2019**

**ORDER OF ARTICLES**

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**NOTICE**

***If the business of this Warrant for the Special Town Meeting is not concluded on Monday, November 25, 2019, it is proposed to adjourn as follows, provided that the Meeting so votes: to Tuesday, November 26, 2019.***

**Town of Shirley  
Special Town Meeting  
November 25, 2019  
Warrant**

Middlesex, ss.

Commonwealth of Massachusetts

To any of the Constables of the Town of Shirley in said County,

Greetings:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Auditorium of the Ayer-Shirley Regional Middle School at 1 Hospital Road in Shirley on Monday, the twenty-fifth day of November 2019 at 7:15 p.m., to consider the following:

**ARTICLE 1: Conservation of Land in Shirley, known as the Morse Property**

To see if the Town will vote to authorize the Board of Selectmen, to acquire by gift, purchase, eminent domain or otherwise for conservation and passive recreation purposes the fee in land located on Little Turnpike Road in Shirley, owned by the Morse Estate or otherwise, shown as Assessors Map 69 Parcel A 1, and comprised of approximately 52 acres of land; such land or interest therein to be held in the care and custody of the Conservation Commission in accordance with G.L. c.40, §8C, subject to the protection of Article 97 of the Amendments to the Massachusetts Constitution; that said Conservation Commission and Board of Selectmen be authorized to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the LAND grant program, (formerly known as the Self-Help program), M.G.L. Chapter 132A, §11, and/or any other program that may provide funding for the acquisition and any incidental and related costs; and to execute, with approval of the Town Administrator, all such agreements as may be necessary on the part of the Town to effect such acquisition and/or such reimbursement; and as funding therefor, and for all costs incidental and related thereto, to appropriate the sum of Two Hundred Seventy Five Thousand and 00/100 Dollars (\$275,000.00), and authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said amount pursuant to M.G.L. Chapter 44, §§7 or 8 or any other enabling authority and issue bonds and notes of the Town therefor and, pursuant to G.L. c.44, §20, to authorize any premium received upon the sale of such bonds or notes, after payment of any costs for preparing, issuing and marketing them, along with any accrued interest, to be applied to the costs of the property acquisition authorized hereunder to reduce the amount authorized to be borrowed for such acquisition by like amount; and to take any other action relative thereto.

**Summary:** This Article will authorize the Board of Selectmen to borrow and appropriate funds in an amount up to Two Hundred Seventy Five Thousand and 00/100 (\$275,000.00) Dollars, necessary to purchase said property, including the cost of due diligence and other necessary expenses, pursuant to

M.G.L. Chapter 44, Section 8C, subject to reimbursement from the Massachusetts LAND grant program in an amount equal to 68% of said costs.

***A 2/3 vote is required for the passage of this article.***

***Sponsored by:  
BOARD OF SELECTMEN***

**Board of Selectmen:           Favorable Action  
Finance Committee:       At Town Meeting**

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**ARTICLE 2: Deed in Lieu of Foreclosure - 74 & 76 Townsend Road**

To see if the Town will vote to authorize the Board of Selectmen to accept a deed in lieu of foreclosure from William P. Poirier, or the then current owner(s), pursuant to the provisions of G.L. c.60, §77C, to those parcels of land located at 74 & 76 Townsend Road, identified as Assessors' Parcel Nos. 96 A 1 and 96 A 1.4, and depicted as Lots 1 and 2 on the plan recorded with the Southern Middlesex Registry of Deeds as Plan 916 of 1981, which parcels are subject to tax takings held by the Treasurer/Collector for unpaid real estate taxes, said parcels to be held under the care, custody, control and management of the Board of Selectmen for general municipal purposes, or take any other action relative thereto.

**Summary:** M.G.L. c.60, s.77C allows a Town, by approval of Town Meeting, to accept a deed to property on which real estate taxes and other municipal charges are owing and past due and constitute a lien on the property. The purpose of accepting such a deed is to give the property to the Town in exchange for forgiveness of the existing tax debt. It avoids the time and expense to the Town of pursuing foreclosure of the tax debt in the Land Court. A vote in favor of this article gives the Town permission to accept a deed to these specific properties in return for forgiveness of the tax debt. It does not require the Town to accept such a deed or obligate the property owner to provide one.

***A majority vote is required for the passage of this article.***

***Sponsored by:  
BOARD OF SELECTMEN***

**Board of Selectmen:           Favorable Action  
Finance Committee:       At Town Meeting**

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**ARTICLE 3: Annual Asset Limit Adjustment**

To see if the Town will vote to accept the provisions of Chapter 59, Section 5, Clause Seventeenth E of the Massachusetts General Laws, which provides that the amount of the whole estate, real and personal, for exemptions granted to senior citizens, surviving spouses and minors as set forth in clauses Seventeenth, Seventeenth C, Seventeenth C1/2 and Seventeenth D of said Section 5, shall be increased annually by an amount equal to the increase

in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for such year, as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2020, or take any action in relation thereto.

**Summary:** This Article will adjust the asset limit qualification relative to the statutory exemptions for seniors, surviving spouses, and minors annually by the consumer price index. Presently the asset limit is fixed at \$40,000. This will allow the asset limit to reflect a cost of living adjustment annually.

*A majority vote is required for the passage of this article.*

**Sponsored by:  
BOARD OF ASSESSORS**

Board of Selectmen:	Favorable Action
Finance Committee:	At Town Meeting

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#### **ARTICLE 4: Tax Deferral Interest Rate Reduction**

To see if the Town will vote to reduce the rate of interest from 8% to 4% that accrues on property taxes deferred by eligible seniors under Massachusetts General Law Chapter 59 Section 5, Clause Forty-first A, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2020, or take any action in relation thereto.

**Summary:** This Article reduces the annual interest rate for deferred property taxes by eligible seniors. Currently, eligible seniors deferring property taxes pay an annual interest rate of 8%; this Article will reduce the annual rate to 4%.

*A majority vote is required for the passage of this article.*

**Sponsored by:  
BOARD OF ASSESSORS**

Board of Selectmen:	Favorable Action
Finance Committee:	At Town Meeting

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#### **ARTICLE 5: Senior Statutory Exemption Age Eligibility Reduction**

To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 59, Section 5, Clause Forty-first C to reduce from 70 to 65 the age at which a person would be eligible to qualify for the exemption provided under said clause, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2020, or take any action in relation thereto.

**Summary:** This Article will allow qualifying seniors who have reached the age of 65 by July 1, 2020 to apply for an exemption on real estate taxes beginning in FY2021. An application along with supporting documentation, including financial statements must be filed with the Assessor's Office each year to receive said exemption. Currently, for FY2020 the qualifying age 70 as of July 1, 2019.

***A majority vote is required for the passage of this article.***

***Sponsored by:  
BOARD OF ASSESSORS***

**Board of Selectmen:           Favorable Action  
Finance Committee:       At Town Meeting**

**ARTICLE 6: PEG Access Receipt Reserved for Appropriation**

**To see if the Town will vote to appropriate a sum of money from the PEG Access and Cable Related Fund for FY20 cable-related expenses, or take any other action relative thereto.**

**Summary:** A vote taken at the 2019 Annual Town Meeting established a Receipt Reserved for Appropriation fund for the cable access agreement pertaining to the SPACO contract. This account was created in accordance with DOR guidelines. Monies have to be appropriated to fund SPACO operations. The Town receives a quarterly franchise fee from Comcast to subsidize the programming.

***A majority vote is required for the passage of this article.***

**Board of Selectmen:           Favorable Action  
Finance Committee:       At Town Meeting**

***Sponsored by:  
BOARD OF SELECTMEN***


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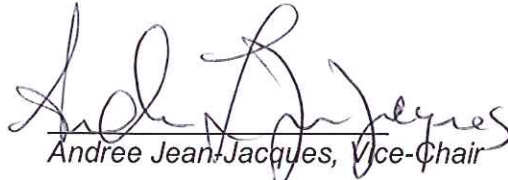
And you will serve this Warrant by posting true and attested copies of same at the Town Offices and the Hazen Memorial Library in Shirley Village, at the Senior Center in Shirley Center, and a like copy at the United States Post Office in Shirley Village, fourteen days at least before the time appointed for said Meeting.

Hereof fail not and make due return of this Warrant with your doings therein to one of the Selectmen, on or before the date of the Meeting.

Given under our hands at Shirley, this 4<sup>TH</sup> Day of November, 2019.

**BOARD OF SELECTMEN**

  
\_\_\_\_\_  
Bryan Sawyer, Chair

  
\_\_\_\_\_  
Andree Jean Jacques, Vice-Chair

  
\_\_\_\_\_  
Debra Flagg, Clerk

A true copy.

Attest:

  
\_\_\_\_\_  
William Oelfke  
Town Clerk

\* \* \* \*

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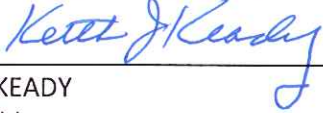
## RETURN OF SERVICE

CONSTABLE

7 KEADY WAY

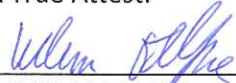
SHIRLEY, MA 01464

I certify that on 11/5/2019, 2019 I duly posted true and attested copies of the foregoing Warrant for the November 25, 2019 Special Town Meeting at the Shirley Town Offices, Hazen Memorial Library, U.S. Post Office, and the Shirley Senior Center.



KEITH KEADY  
Constable

A True Attest:



WILLIAM OELFKE  
Town Clerk

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